

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA, CHARLESTON**


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

IN RE: ETHICON INC.

**PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION**

MDL NO. 2327**Honorable Joseph R. Goodwin****This Document Relates to:**

SUE GAMBRELL, ET AL,
Plaintiff,

v.

ETHICON INC., ET AL,
Defendants.

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CIVIL ACTION NO. 2:14-cv-29825

**MOTION TO DISMISS PURSUANT TO RULE 41(a)(2)
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

COMES NOW Plaintiff, Sue Gambrell, and hereby requests the Court to dismiss without prejudice the above-styled action against all Defendants pursuant to FED. R. CIV. PRO. 41(a)(2), with each party to bear its own costs and fees.

October 29, 2015

Respectfully submitted,

MOSTYN LAW

/s/ J. Steve Mostyn
J. Steve Mostyn
Mark Sparks
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COUNSEL FOR PLAINTIFF

Certificate of Conference

Prior to filing the instant motion, the undersigned's office contacted Defendants' counsel requesting agreement to dismiss, without prejudice, the instant action. Counsel for Defendants stated they were opposed to such a dismissal without prejudice.

/s/ J. Steve Mostyn
Mark Sparks

Certificate of Service

I hereby certify that on the 29th day of October, 2015, I forwarded the foregoing *Motion to Dismiss Pursuant to Rule 41(a)(2)* via the Court's electronic notification service.

/s/ J. Steve Mostyn
J. Steve Mostyn